IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 24140 of 2007(W)

PETITIONER:

SUBASH A. PAINKULAM,
H.S.S.T.(COMPUTER APPLICATION),
ST.SEBASTIAN'S H.S.S., KUTTIKKAD.

BY ADV. SRI.BENOY THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
DIRECTORATE OF HIGHER SECONDARY EDUCATION,
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM.

3. THE CORPORATE MANAGER,
CORPORATE EDUCATIONAL AGENCY,
DIOCESE OF IRINJALAKKUDA, IRINJALAKKUDA P.O.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 24140 OF 2007

Dated this the 9th day of August, 2007

J U D G M E N T

In view of the limited prayer made by the petitioner, I do not deem it necessary to refer to the various contentions raised by him in the writ petition at this stage.

2. Petitioner is stated to be working as HSST (Senior) in Computer Science/Computer Application in St. Sebastian's H.S.S. At Kuttikkadu under the management of respondent No.3. According to the petitioner, he was appointed in the school as HSST (Junior) with effect from September 1, 2000.

3. Grievance of the petitioner is that though he was placed at Rank No.1 in the Select list, he had been accommodated against the 3rd post as the juniormost. This resulted in getting his promotion as HSST (Senior) late. The contention of the petitioner is that he should have been appointed as HSST (Senior) with effect from September 1, 2001 itself.

4. Anyhow, I do not propose to deal with any of the contentions raised by the petitioner at this stage in view of the limited prayer

made by the learned counsel for the petitioner at the Bar. He submits that petitioner will be satisfied if a direction is issued to respondent No.1 to take a decision on Ext.P4 expeditiously.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P4 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that petitioner, the Corporate Manager and the other teachers who are likely to be affected by the orders that may be passed, are afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007